

## Book reviews

### Interests and Rights: The Case against Animals

R G Frey  
Clarendon Press, Oxford  
£9.00.

The present reviewer is a vegetarian and an anti-vivisectionist (or at least against painful experiments on animals). He believes that animals have rights in as good a sense as do humans, namely, roughly, that there is a whole range of sufferings and indignities which moral agents (like us, not the animals) have a duty not to inflict on them. Mr Frey believes that animals have no rights and takes a dim view of vegetarianism and anti-vivisectionism. It is fair thus to give the reader the chance to suppose that this review smacks of prejudice. Still, if this book is right, it is not simply that vegetarianism and anti-vivisectionism are wrong, but that any concern with animal welfare is misconceived, if it makes any appeal *either* to their rights *or* their interests. Thus it is not just rather extreme views on the animal question which are under fire, but beliefs which one might suppose are accepted by most decent people. Despite my own position, I acknowledge the seriousness of the case against it (at least in the case of medical experiments) which, admitting that animal suffering is an evil, insists that it is outweighed by the greater needs of humanity, provided that there is a real effort to minimise that suffering. There is a moral problem here on which intelligent and decent people can divide (partly through differing ignorances). But if this book is right, there is little to be said for any serious moral concern for the fate of animals. It is, then, the author, I believe, who is more the extremist than I. One of his main points is, briefly, this. The animal right-ist claims that sentience, more particularly the capacity for pleasure and pain, is the basis of rights, and that to deny rights to other species is a

'speciesism' akin to 'racism'. But, asks our author (citing some ecological ethicists who speak of the rights of rocks and rivers) why make *sentience* the condition of having rights? Is this not as discriminatory against the 'rights' someone might claim for the non-sentient (*eg* beautiful mountains and lakes - their living denizens apart) as speciesism is against the 'rights' of some of the sentient? No one has proved, anyway, that sentience matters morally, that there's anything much wrong with pain. It would be better to say (he thinks) that rights require not sentience but interests, that interests require desires, that desires require beliefs, that beliefs require language and that *eg* cats have no language, therefore no beliefs, therefore no desires, therefore no interests, therefore no rights. The author also denies that animals have emotions - even fear. At best they have needs or wants, in the sense that they will not function properly without food etc., but this is as true of automobiles, so that if needs are the basis of rights, automobiles have them, and the animal right-ist is (again) convicted of his own discrimination against the non-sentient.

Such, briefly, is the main argument, but the book contains a curious twist, namely that at the beginning and end of it, the author tells us that he thinks all talk of moral rights misconceived and that humans have such rights no more than animals. (With this somewhat Benthamite view I sympathise, though I am prepared to use 'right' as above). This may suggest that the whole question of how animals may decently be treated is still open, despite their having (like humans) no rights, and this is even acknowledged. But if he really means simply that the language of rights is not the best in which to defend any moral position, why subtitle the book 'The Case against Animals'? Moreover, the denial that animals have *interests* or *emotions* is not extended to humans,

so that the matter stands much as it would without this twist, and he makes it clear also that he thinks the view that pain is an evil (quite apart from talk of rights) is worth little respect, being unproven.

But surely to suggest, as the author does, that a philosopher cannot reasonably regard pain as an intrinsic evil, or the capacity for it as the basic ground of having interests and perhaps rights, unless he can *prove* that it is, is really rather foolish. Since there is no general agreement as to what constitutes proof in ethics, this is a recipe for calling any moral position whatever non-rational (as of course has often been done, but not to the special detriment of any one view). Actually I think there is a kind of proof that pain is evil, inasmuch as it is virtually impossible vividly to imagine it without some repulsion and feeling that it had better not be, so that to know it is necessarily to take it as evil. (Sado-masochism is related to deep-seated drives tending to corrupt the sense of what pain is like in the unperverted and that is the pain which is in question). As for the emphasis on language, as essential for beliefs, desires and what not, important as this is for a developed self-consciousness, it is only those who live superficially in a maze of uncashed words who can be so confident that quite complex forms of consciousness, in the sense of truly feeling or experiencing or anticipating one's states as influenced by the environment, requires it. But though Frey attacks what *he* calls behaviourism, his own position is really crudely behaviouristic. He assumes dogmatically that animals cannot be endowed with mental states for which there are no precise behavioural criteria, evidently thinking that humans can only be 'endowed' with them in virtue of their verbal behaviour (which has normally counted as behaviour for behaviourism). Such behaviourism confuses 'endowed' as 'possessed of' with 'endowed' as 'to be ascribed

with certainty' (a certainty only looked for in a very crude epistemology).

The question of animal rights is an important and difficult one. The tendency is for moral philosophers and others who argue on morals seriously only to engage with this question if they are committed on the 'animals' side'. It is important that the case on the other side should be worked out cogently and receive what defence it can. In attempting to do this, Frey sets out to do a needed job. He would have done this with some modest success if a dogmatic acceptance of the principles of 'criteriological' (Wittgensteinian) philosophy and the ability to deduce consequences therefrom in a manner usually formally valid, together with an extensive acquaintance with recent literature on ecological ethics, and animal rights were enough. If, however, some depth of acquaintance with philosophical theories of consciousness not derived from, or interpreted closely in accord with, Wittgenstein, and some engagement with the real issues the pondering of which can divide decent men, (concern for the amelioration of the human lot combined with a recognition that there is something relevantly the same in the physical pain suffered by a dog or rabbit and that suffered by a human) is needed for a serious contribution to the subject, this work can hardly count as one.

T L S SPRIGGE

### **Children's rights and the mental health professions**

Edited by Gerald P Koocher John Wiley & Sons 1976, 246 pp. £15.25

'The Individual Professional must be recognised as the key to the assertion and maintenance of children's rights in the mental health field'; so states the editor of this thought provoking book, which contains 20 papers by psychologists, psychiatrists, educators and attorneys, all concerned about children's rights in the mental health field. The contributors' viewpoints and emphases vary but a recurring theme is that children are different from adults in ways that demand special respect for children's rights. The book asks 'To what extent should professional status be immunized

from the responsibility to advocate on behalf of children?'

The book is divided into four parts; in the first, 'Professional responsibility in service delivery to children', Alice LoCicero discusses the child's right to be informed about clinical evaluations. Gerald Koocher then looks at the rights of children in psychotherapy. David W Simmonds examines identified patient 'status' some children have as a result of family dysfunction. Marilee U Fredericks follows with a look at custody battles and the needs of children caught in legal tangles and Patricia Keith-Spiegel examines children's rights as participants in research.

The second section is called 'Institutional responsibilities and children's rights'. Armin P Thies looks at the rights of children in institutions and the dilemmas faced by therapists as professionals and institutional employees. Steven J Apter follows with a paper on the rights of children in teaching institutions in which he looks at the issue of training versus service. Bruce Cuscha outlines the need for changes in the direction of moving children out of institutions. This section ends with a paper by Jonathan Brant on records, confidentiality and clients' rights to access to records on their treatment.

In the third part, 'The question of due process in mental health services to children and their families', Henry A Beyer and John P Wilson examine a child's right to resist commitment. They look at how parents may 'voluntarily' commit a child to a mental institution. This is followed by Norma Deitch Feshbach and Seymour Feshbach looking at punishment within the family and the rights of children in child abuse situations; Gail Garinger, Rene Tankenoff Brant and Jonathan Brant on protecting children and families from abuse; and finally Stephen R Bing and J L Brown discussing the difficulties of attempting to deliver mental health services under legal sentence.

The final section is entitled 'Professional responsibility in public-policy problem areas'. In it Donald P Bartlett and Stephen E Schlesinger look at the long term effects of labelling children and have some alternatives to offer. Robert L Williams and L Wendell Rivers examine the effects of language differences between black and white

children in the design of standardised intelligence tests. The last three papers deal with the use of psychotropic drugs. The first of these by J Larry Brown and Stephen R Bing notes the potential for misuse. Mark A Stewart feels that inappropriate applications have developed. The final paper by Rodman McCoy and Gerald P Koocher is a plea for a public policy for psychotropic drug use with children.

The chapters each have a bibliography and the book has both a name and subject index. It is entirely American in its orientation and many of the points made relate to the law of that country. Nevertheless, I felt that there was value in increasing the reader's awareness of basic problems in the area of children's rights.

JANETTE CHISHOLM

### **Prolongation of Life**

London, Linacre Centre, 1978, each 30p.

**Paper 1 The principle of respect for human life.**

**Paper 2 Is there a morally significant difference between killing and letting die?**

**Paper 3 Ordinary and extraordinary means of prolonging life.**

The Linacre Centre for the Study of the Ethics of Health Care was set up under a charitable trust established by the Catholic Archbishops of England and Wales in 1977. The purpose of the Centre is 'to provide a research and information service in order to help Catholics working in the health care professions as doctors, nurses, social workers, or in other capacities, to deal with the moral problems that arise in their work and to present their views to non-Catholic colleagues'. The papers we are considering are intended to examine and restate those 'Catholic moral principles which are relevant to health care and are in fact reflected in professional ethical codes', and in so doing 'to facilitate reflection and discussion among practitioners'.

The first paper begins at a general level and provides an account of what moral reasoning is about and of the nature of intentional action. These general ideas are applied to the central topic of 'respect for life' and are then placed in the context of